

REMARKS

In the above-identified Office Action the Examiner has rejected Claim 24 as failing to comply with the written description requirement. Applicant has amended Claim 24 so that it now has support in the specification and, in particular, now has a dilution step: "diluting the reaction mass with water."

Claims 3,6, and 10-15 have been rejected as indefinite. The Applicant has amended Claim 3 representing it as new Claim 27 to resolve the concerns of the Examiner. Thus, as amended, Claim 27 now requires a condensation reaction in a solvent, cooling the reaction mass with water, extracting the liquid mass with a solvent and then crystallizing. Such a sequence should be definite.

Claims 3, 6, and 10-15 have been rejected as indefinite. The Examiner has noted that Claim 3 is unclear as written. Claim 3 has been cancelled and rewritten as new Claim 27 and, as such, Applicant believes that all of the Examiner's concerns have been addressed. Applicant wishes to note that new Claim 27 makes reference to three separate solvents and thus the condensation reaction goes forward in the presence of a base in any solvent selected from one or more water-miscible solvents or mixture of water and one or more water-miscible solvents. Step (b) for the extraction of the resulting liquid mass is effected with a water-immiscible solvent. Finally, the crystallization of step (d) is effected in an aqueous solvent identified more specifically in Claim 24.

The Examiner has stated that step (d) of Claim 3 seems to be unconnected. However, Applicant notes that the claim is directed to a process for preparing crystal in risperidone and step (d) identifies precisely the crystallizing step of the process. As far as the aqueous solvent in which the crystallization is effected is concerned, such solvent has been specifically identified in Claim 24.

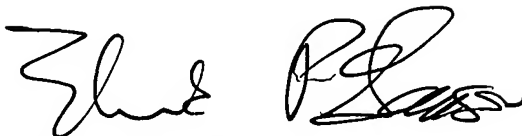
Applicant hereby requests reconsideration and reexamination thereof.

US 10/572,829

With the above amendments and remarks, this application is considered ready for allowance and applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, she is respectfully requested to call the undersigned at the below listed number.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ed P. Gamson', written in a cursive style.

Dated: 25 September 2008

Edward P. Gamson

Reg. No. 29,381

Husch Blackwell Sanders Welsh & Katz

120 South Riverside Plaza, 22nd Floor

Chicago, Illinois 60606

Phone: (312) 655-1511

Fax: (312) 655-1501